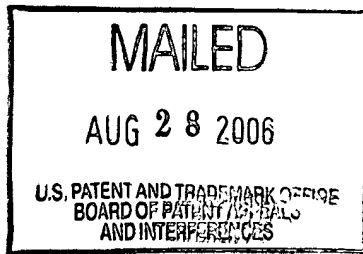


UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES



Ex parte DALE E. GULICK
and
GEOFFREY S. STRONGIN

Application 09/853,443

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received electronically at the Board of Patent Appeals and Interferences on August 22, 2006. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being electronically returned to the examiner. The matter requiring attention prior to docketing is identified below:

An examination of the Image File Wrapper (IFW) reveals that an Examiner's Answer was mailed July 20, 2006 in response to the Order Returning Undocketed Appeal to Examiner mailed July 6, 2006. It should

be noted that the new ground of rejection is now prominently displayed under a separate heading in the "Grounds of Rejection to be Reviewed on Appeal" section and the "Grounds of Rejection" section. A two month time period for applicants to respond was given (page 9). Hence, the response to the Examiner's Answer is due by September 20, 2006.

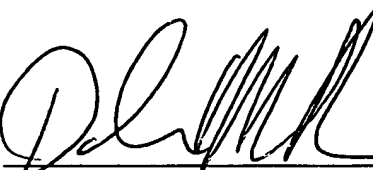
Accordingly, it is

ORDERED that the application is returned to the examiner:

- 1) to allow applicants the opportunity to respond to the Examiner's Answer mailed July 20, 2006; and
- 2) for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By:



DALE M. SHAW
Deputy Chief Appeal Administrator
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DMS:psb

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